

**CABINET – 19 APRIL 2016****ENDERBY ROAD, BLABY DEVELOPMENT – OBJECTION TO
TRAFFIC REGULATION ORDER****REPORT OF THE DIRECTOR OF
ENVIRONMENT AND TRANSPORT****PART A****Purpose of Report**

1. To seek approval for the implementation of a developer funded traffic regulation order (TRO), as required by the planning approval for Retirement Living Development - Enderby Road, Blaby.

Recommendation

2. It is recommended that the TRO associated with the Enderby Road development, Blaby, as shown on the drawing no. BL15_4358/1 appended to this report be approved for implementation.

Reason for Recommendation

3. The proposed TRO is required as a condition of the planning approval for the Retirement Living Development Enderby Road, Blaby. Its implementation will remove on-street parking in the vicinity of access routes to and from the development and increase highway visibility and safety along Enderby Road, Blaby.

Timetable for Decisions (including Scrutiny)

4. Subject to the Cabinet's approval, the making and implementation of the TRO will be made as soon as possible.

Policy Framework and Previous Decisions

5. The scheme contributes to the delivery of Local Transport Plan 3 (LTP3) and the priorities of safety and quality of life.
6. Approval of minor transport schemes such as this is delegated to the Director of Environment and Transport, following consultation with the Cabinet Lead Member and subject to the support of the relevant Local Member/s.
7. In view of the objection by Blaby Parish Council, the local Member for Blaby, Mr. G. Welsh CC has indicated that he cannot support the proposal and the matter is therefore referred to the Cabinet for determination.

Resource Implications

8. The estimated cost of processing the TRO is £5,000 which is being funded by the developer in full.
9. The Director of Corporate Resources has been consulted on the contents of this report.

Legal Implications

10. The Council's power to make TROs is derived from the Road Traffic Regulation Act 1984. Section 122 of the Act places a duty on the Council to exercise the functions conferred by the Act to secure the expeditious convenient and safe movement of traffic. The proposals in this report are intended to improve highway visibility and safety in accordance with this requirement.
11. In making the TRO, the Council will comply with prescribed statutory process.
12. The County Solicitor has been consulted on the proposals.

Circulation under the Local Issues Alert Procedure

Mr. G. Welsh CC

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PART B

Background

13. A planning application was made to Blaby District Council for the demolition of existing dwellings and the development of 40 one and two bedroomed units and communal facilities to provide assisted accommodation for the elderly, along with associated vehicular access, parking and landscaping. The application is referred to as Retirement Living Development Enderby Road, Blaby.
14. The initial advice from the (County) Highway Authority to the Local Planning Authority (Blaby) was to advise refusal. Following discussions with the applicant's consultant, a solution was identified which would involve imposing parking restrictions to either side of accesses in order to achieve the required visibility splay provision. Without the imposition of this condition, the Highway Authority's fall-back position would be its original recommendation for refusal.
15. Planning permission was granted (application no. 15/0366/FUL) subject to conditions. Condition 10 states "No development shall commence until a TRO has been enacted increasing the single yellow line restriction extension detailed on drawing no. 050.0015.002 Rev P2 to prohibit parking along the frontage of the site on Enderby Road."
16. As stated above, the proposed TRO is deemed necessary to make the development proposal acceptable. Without on street parking restrictions, the proposal would lead to the increase in turning traffic at two points of access where vehicles currently regularly park on either side.
17. The proposed permanent TRO is summarised below and is shown on Drawing No. BL15_4358/1 attached at as the Appendix to this report:
 - A previously advertised scheme to amend the 'no waiting' period around the site from Monday-Saturday 8am-6.30pm to Monday-Saturday 8am-6pm was implemented on 21st December 2015. This proposed length of 'no waiting' outside the development site will reflect the amended time period to give a consistent enforcement period.
 - The scheme proposes a 'no waiting Monday to Saturday, 8am – 6pm' restriction across the frontage of the site on Enderby Road, Blaby.

Consultations

18. The public consultation was undertaken on the proposed TRO on 30th October 2015 for a period of 3 weeks.
19. The scheme was advertised in the local press and on Leicestershire County Council's website. A copy of the proposal was made available for inspection at Blaby District Council Offices for the consultation period.
20. The following responses were received.

Consultee	Response	
	General agreement with the proposals/no adverse comments received	Do not support the proposals
Formal consultations with a letter and drawing sent to:		
Blaby District Council	1	1
Blaby Parish Council		
Leicestershire Constabulary	1	
Ambulance Service	1	
Fire Service	1	
Road Haulage Association	1	
Freight Transport Association	1	
Local Residents (2 letters)	2	
TOTAL	8	1

21. The Parish Council objected to the scheme as there would be a loss of up to 6 car parking spaces on Enderby Road.
22. In exercise of the Director's Delegated Powers for implementing Traffic Regulation Orders, the local member Mr G Welsh CC was asked to indicate whether he would support the implementation of the proposals. On considering the objection from Blaby Parish Council, the local Member Mr. G. Welsh CC indicated that he did not support the scheme.

Conclusions

23. The proposed TRO is in accordance with the published planning condition. Its aim is to ensure there is adequate visibility for people using the entrances to the development. The proposed scheme would restrict parking on Enderby Road, Blaby between the hours of 8am-6pm Monday to Saturday.
24. The TRO will prevent drivers' visibility being severely compromised by the presence of parked vehicles during peak travelling times and reduce the risk of a collision between vehicles and/or pedestrians.
25. Evidence shows that this unrestricted part of the highway is predominantly used by non-residents for long-term daytime parking and not by local residents or visitors to the local area. The loss of parking in this area during the day is not deemed to have any detrimental effects as there is adequate parking available further out of Blaby town centre and in the adjacent side roads; both on-street (for short term parking) and off-street (for both short and long term parking). As the frontages are part of the development, there is no frontage displacement parking being affected.
26. Vehicles will still be allowed to park in this area outside of 8am-6pm Monday to Saturday as there are less pedestrian and vehicle movements and generally more demand for parking.

Equality and Human Rights Implications

27. None.

Background Papers

Local Transport Planning in Leicestershire 2011-2016: Leicestershire Local Transport Plan 3 Link:

http://www.leics.gov.uk/index/highways/transport_plans_policies/ltp/current_transport_plans.htm

Appendix

Drawing No. BL15_4358/1, showing planned TRO

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